

RECEIVED

SEP 14 1993

HUB LAW OFFICES

ORIGINAL FILED

SEP 14 1993

LOS ANGELES
SUPERIOR COURT

Ford Greene
California State Bar No. 107601
HUB LAW OFFICES
711 Sir Francis Drake Boulevard
San Anselmo, California 94960-1949
Telephone: (415) 258-0360

Attorney for Defendants
GERALD ARMSTRONG and THE
GERALD ARMSTRONG CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY)
INTERNATIONAL, a California)
not-for-profit religious)
corporation;)

Plaintiff,)

vs.)

GERALD ARMSTRONG; THE GERALD)
ARMSTRONG CORPORATION, a)
California corporation; DOES)
1-25, inclusive;)

Defendants.)

Case No. BC 084 642

NOTICE OF MOTION
AND SPECIAL MOTION
TO STRIKE FIRST AMENDED
COMPLAINT; MEMORANDUM OF POINTS
AND AUTHORITIES; DECLARATIONS
OF FORD GREENE, GERALD
ARMSTRONG AND VICKI AZANARN;
[Proposed] ORDER

Date: October 6, 1993

Time: 8:30 a.m.

Dept: 30

Trial Date: None

TO THE CHURCH OF SCIENTOLOGY INTERNATIONAL
AND ITS ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on the 6th day of October, 1993, at
8:30 a.m. in Department 30, of the above-entitled Court,

defendants Gerald Armstrong and the Gerald Armstrong Corporation
will move this Court for its Order striking the Verified Complaint
in the above-referenced case.

This motion is factually predicated on the grounds that the
instant lawsuit is intended to chill defendants' exercise of the
constitutional rights of freedom of speech and petition for

COPY

1 redress of grievances and upon the ground that this Court lacks
2 jurisdiction to proceed because a substantially identical lawsuit
3 between the parties is currently pending before Department 30 of
4 this Court. This motion is legally predicated upon Code of Civil
5 Procedure section 425.16.

6 This motion is based upon this notice, the memorandum of
7 points and authorities submitted herewith, the declarations of
8 Ford Greene, Gerald Armstrong and Vicki J. Aznaran submitted
9 herewith, the files and records in this case, the files and
10 records in Church of Scientology of California v. Armstrong, Los
11 Angeles County Superior Court Case No. C 420153, and Church of
12 Scientology International, Los Angeles County Superior Court Case
13 No. BC 052395, the files and records of each said case this Court
14 is requested to take judicial notice.

15 DATED: September 13, 1993

16
17 HUB LAW OFFICES

18
19
20 By: 

FORD GREENE
Attorney for Defendants
GERALD ARMSTRONG and THE
GERALD ARMSTRONG CORPORATION

PROOF OF SERVICE

I am employed in the County of Marin, State of California. I am over the age of eighteen years and am not a party to the above entitled action. My business address is 711 Sir Francis Drake Boulevard, San Anselmo, California. I served the following documents: NOTICE OF MOTION AND SPECIAL MOTION TO STRIKE FIRST AMENDED COMPLAINT; MEMORANDUM OF POINTS AND AUTHORITIES; DEFENDANTS' EXHIBITS IN SUPPORT OF SPECIAL MOTION TO STRIKE INCLUDING DECLARATIONS OF FORD GREENE, GERALD ARMSTRONG; AND VICKI J. AZNARAN; [Proposed] ORDER

on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California:

Andrew Wilson, Esquire
WILSON, RYAN & CAMPILONGO
235 Montgomery Street, Suite 450
San Francisco, California 94104

Personal

LAURIE J. BARTILSON, ESQ.
Bowles & Moxon
6255 Sunset Boulevard, Suite 2000
Los Angeles, California 90028

Personal

PAUL MORANTZ, ESQ.
P.O. Box 511
Pacific Palisades, CA 90272

Mail

[X] (By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California.

[X] (Personal) I caused said papers to be personally service on the office of opposing counsel.

[X] (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

DATED: September 14, 1993

